

**City of Frankfort Planning Commission  
Draft Minutes  
December 9, 2014 Regular Meeting  
7:00 p.m. at Frankfort City Hall**

**Call to Order:** 7:09 p.m.

**Roll Call:** Bissell, Fairchild, Kirkpatrick, and Penne

**Absent:** Barresi, Stahl, Storrer

**Recognition of Visitors:** Josh Mills City Superintendent), Sharron May (Recording Secretary), Alma House, Jay White, Steve Campbell, Dennis Campbell, Ray and Mary Ellen Miller, Mayor Robert Johnson

**Quorum present**

**Motion to table approval of Minutes of Regular Meeting, November 12, 2014** moved Bissell, seconded Penne, all ayes, motion passed.

**Motion to approve agenda** moved Fairchild, seconded Kirkpatrick, all ayes, motion passed.

**Public Comments & Correspondence Concerning Items not on Agenda**

1. Request to Appear: None
2. Correspondence: None
3. Public Comments:

Mary Ellen Miller inquired about her correspondence in the October meeting. She did not see it in the minutes.

Bissell responded that the letter is an attachment to the minutes.

**Reports to the Commission:**

1. **Report from the Chair:** Cory Bissell – there was no quorum at the last meeting DDA meeting.
2. **Reports from Planning Commission Committees:**
  - a. **Public Facilities** – Sam Barresi – No report
  - b. **Master Plan Review/Update 2015** – Pat Storrer – No report
  - c. **Complete Streets Committee** – Melina Penne – No report
3. **Report from Zoning Board of Appeals:** Kim Fairchild and Josh Mills – No report
4. **Report from Lakes to Land organization** – Bruce Ogilvie – No Report
5. **City Superintendent Report:**
  - a. **DDA-TIF** – The DDA is working with Chip Smith from Wade Trim & Associates.
  - b. **Capital Improvement Plan** – Mills is meeting regarding a detailed plan of every activity in the City including priority projects and a wish list.
  - c. **Re-development-Ready Communities (MEDC Initiative)** – the city will be approved as soon as a Capital Improvement Plan is adopted.
  - d. **Parks and Recreation Master Plan** – Parks and Recreation committee approved the plan. Next it will go to the Planning Commission for a recommendation on whether the council should adopt it.

**Unfinished Business**

1. **Benzie County Master Plan Revision Subcommittee:** status of request for Frankfort PC participation The Master Plan Update Committee will be meeting on Wednesday, December 10, 2014 from 2:00 pm to 4:00 pm. The main topic will be about the County Parks and Recreation Plan. The townships were represented well but not any of the Villages. Networks Northwest is facilitating. Mills will continue to attend when possible and ask for a substitute when needed from the Planning Commission.

2. Motion to accept a Memo from Harbor Investment Group, LLC to vacate a Special Use Permit approved by the City of Frankfort Planning Commission on January 9, 2007 to construct 24 residential units with detached garages as well a marina facility with site improvements. Also, vacate the site plan that was approved by the City of Frankfort Planning Commission on January 23, 2007. Moved Fairchild, supported Kirkpatrick. Penne- aye, Bissell- aye, Fairchild- aye, Kirkpatrick- aye. Motion passed.

Discussion: The city attorney advised that the 2007 Special Use Permit could continue, including the changes. However the owner and architect would like the project to fall under the new ordinance with a condition that if the Commission doesn't approve the new ordinance, the owner can retain the 2007 Special Use Permit. There was a lengthy discussion on whether the questions for the attorney had been sufficiently answered to make a decision.

3. Application from Harbor Investment Group, LLC, for Construction of 18-24 Luxury Condominiums at The Marina at Harbor Lights Condominium II, 18 S. Second Street, Frankfort.

Motion to bring off the table the Motion to approve/approve with conditions listed below/deny for reason listed below the Site Development Plan dated 10/13/2014 from Harbor Investment Group, LLC: (this motion was tabled at Special Meeting 12/1/2014). Moved Fairchild, supported Penne, all ayes. Motion passed.

4. Motion to approve with conditions listed below the Site Development Plan dated 10/13/2014 from Harbor Investment Group, LLC: To construct a continuation of an existing condominium development including an additional 18-24 units in three (3) separate structures referred to as Harborwatch #1-#3, 48 marina slips (completed), three (3) detached garages, site landscaping and 68 surface parking slips for a total of 92 slips (completed), as proposed, with the following conditions:

- Sidewalk to be constructed along the existing curb adjacent to Second Street conforming to ADA where feasible and to preserve existing trees. (see site plan)
- Mature trees on-site must be preserved to the last extent possible.
- Establish escrow fee for inspection of utilities.
- Scheduled maintenance to be made part of the condo documents for the storm drain structures.
- Submittal of a detailed schedule of construction per phases.
- Posting the financial guarantee per Section 8107.10.
- All other local, state and federal permits shall be procured.
- Site lighting shall conform to the ordinance with light emitting downward. (LED preferred)

Moved Fairchild, seconded Penne. Roll call vote: Bissell – aye, Fairchild – aye, Penne – aye, Kirkpatrick – aye. Motion passed.

**Discussion:** Kirkpatrick inquired about the pending questions to the city attorney. Mills responded that the attorney reviewed all the questions and approved it. Fairchild questioned how the parking structure would be phased in. There was a discussion about preserving the view. Mills replied that you have to look at the whole lineal footage along Betsie Bay. 40% has to be preserved and this project meets that – the buildings only comprise 20%. What is a buildable lot? It is determined by the total development. The attorney, Planner and Mills as ZA have reviewed the project. Outbuildings are not allowed but a garage is not an outbuilding. Table 12 has some errors that need to be corrected. Ancillary buildings are a structure with living units. Freestanding garages in the waterfront district are allowed with no setback. It meets every component of the ordinance, which was designed to be streamlined. Mills went above the requirements and suggested 2 parking spaces per unit. Legally there is no required parking for marinas. Condo owners who won't need additional parking will likely own some of the slips. Nobody wants to see a significant change. The original development had some pushback, too.

**Dennis Campbell:** The development has contributed to the economic and tax base of the community. Your job is to make sure that this lives up to the current ordinance. The main question was answered: it gets treated as one development.

**Bissell** asked about environmental impact and traffic study. Mills responded that they are waiting for approval from the Corps of Engineers. A construction schedule will be submitted once bids are confirmed. If something happens and the project is discontinued, what is our action?

**Mills:** they would still have development rights. We should revisit the status frequently. They will be paying impact fees for water and sewer. There is a computer model of how fire trucks will get in and out of the site. A setback would be voluntary but Mills recommended a 5 ft. setback, as it is likely the ordinance will be amended as such in the future to be consistent with residential areas.

**Steve Campbell:** Five feet will be challenging in a couple of places.

**Mills** agreed. You're going to pinch that drive and will probably lose some parallel parking places. Mills answered a question about the future allowable building width, which is 57 feet.

### **New Business**

1. Motion to excuse Pat Storrer from this meeting for family reasons moved Bissell, supported Kirkpatrick, all ayes, motion passed.
2. Motion to excuse Sam Barresi from this meeting for medical reasons moved Fairchild, supported Kirkpatrick, all ayes, motion passed.
3. Motion to excuse Maury Stahl from this meeting for family reasons moved Kirkpatrick, supported Fairchild, all ayes, motion passed.

4. **Motion to recommend to City Council the adoption of the Park and Recreation Master Plan.**  
**Moved Fairchild, supported Kirkpatrick. Roll call vote: Fairchild – aye, Kirk – aye, Bissell – aye, and Penne- aye. Motion passed.**

**Discussion:** Mills complimented the plan; that it was a good document. Language was streamlined where it was redundant. There is a goal to have a Skate Park at Market Square Park, which will have to come before the Planning Commission. They are trying to create a park for all ages with enhanced activities and features.

#### **Public Input – Agenda Items Only**

**Robert Johnson** – you have done your due diligence on this project. He thanked the Campbells for their time and patience. From a tax perspective, this will improve the infrastructure.

**Jay White** congratulated the Planning Commission and the Developer for working together. He noted an error in the motion. It refers to parking slips. Shouldn't it be parking spaces?

**Mills** – that was a slip.

**Kirkpatrick** to the Campbells - we wish you the best.

**Steve Campbell** thanked the Planning Commission for considering their application, adding that they will proceed cautiously and sell them before building them.

**Dennis**- we never started a project without having them pre-sold. He thanked the commission and Mills.

**Any Other Business/Ongoing Business: None**

**Motion to adjourn moved Fairchild, supported Penne, all ayes, motion passed.**

**Meeting adjourned at 8:45 p.m.**

**Next Meeting(s):** Regular Meeting: Tuesday, December 9, 2014, the Haugen Room, City Hall, 7pm.  
Commissioner Hand-outs: (1) Draft Minutes: 11/12/2014 Regular Meeting (2)